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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,583	09/27/2004	Michael BURR	2006579-0231 (CTX-093)	5582
69665 7590 12/16/2009 CHOATE, HALL & STEWART / CITRIX SYSTEMS, INC. TWO INTERNATIONAL PLACE BOSTON, MA 02110				
EXAMINER HARRELL, ROBERT B				
ART UNIT		PAPER NUMBER		
2442				
MAIL DATE		DELIVERY MODE		
12/16/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/711,583

Applicant(s)

BURR ET AL.

Examiner

Robert B. Harrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-17,19,20,22,31,32,34-47,49,50 and 52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-17,19,20,22,31,32,34-47,49,50 and 52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-646)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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1. Claims 1, 2, 4-17, 19, 20, 22, 31, 32, 34-47, 49, 50, and 52 are presented for examination.
2. The Substitute Specification, filed 13 April 2009, has not been entered, and thus object too, as there is no statement that the Substitute Specification contains No New Matter. Examiner notes that the applicant's 13 April 2009 remarks, page 8 (top), stated that "No new matter has been introduced"; however, this is treated with respect to amendments to the claims. The applicant addressed such in his 09 September 2009 remarks suggesting that a new Substitute Specification had been filed with his 09 September 2009 response, the application is void of such either (1) it was not apart of the applicant's response; or, (2) it has since be lost. Hence, the applicant is again required to re-submit the new Substitute Specification.
3. Since the Substitute Specification has not been entered, there is no change to the title; hence, the title of the invention is still not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The proposed Substitute Specification title would be acceptable if re-worded as follows: "System And Method For Assigning Unique Network Identifiers To Each Program Executing On Computers".
4. The applicant should always use this period for response to thoroughly and very closely proof read and review the whole of the application for correct correlation between reference numerals in the textual portion of the Specification and Drawings along with any minor spelling errors, general typographical errors, accuracy, assurance of proper use for Trademarks TM, and other legal symbols ®, where required, and clarity of meaning in the Specification, Drawings, and specifically the claims (i.e., *provide proper antecedent basis for "the" and "said" within each claim*) with each claim ending in a period. Minor typographical errors could render a Patent unenforceable and so the applicant is strongly encouraged to aid in this endeavor.
5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this action:

A person shall be entitled to a patent unless -

(e) the invention was described in — (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language;

6. Claims 1, 2, 4-17, 19, 20, 22, 31, 32, 34-47, 49, 50, and 52 are rejected under 35 U.S.C. 102 (e) as being anticipated Orme by (United States Patent Application Number: 2005/0097179 A1).

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7. Prior to addressing the grounds of the rejections below, should this application ever be the subject of public review by third parties not so versed with the technology (i.e., access to IFW through Public PAIR (as found on <http://portal.uspto.gov/external/portal/pair>)), this Office action will usually refer an applicant's attention to relevant and helpful elements, figures, and/or text upon which the Office action relies to support the position taken. Thus, the following citations are neither all-inclusive nor all-exclusive in nature *as the whole of the reference is cited* and relied upon in this action as part of the substantial evidence of record. Also, no temporal order was claimed for the acts and/or functions.

8. Per claim 1, Orme taught a system (e.g., see Abstract) for assigning a unique network identifier to each program invoked on a computer (e.g., see paragraph [00920] and paragraph [00921]), the system comprising:

a) a computer obtaining a plurality of network identifiers allocated to a user (e.g., see paragraph [00920] and paragraph [00921] such as IP addresses in the set of 127.0.0.1), the computer executing:

ai) an interface mechanism to select, from the plurality of network identifiers of the user, a first network identifier (i.e., 127.0.1.0) of the user for a first program invoked by the user on the computer (e.g., see paragraph [00920] and paragraph [00921]) and to select a second network identifier (i.e., 127.0.2.0) of the user, different from the first network identifier (127.0.1.0 < > 127.0.2.0), for a second program invoked by the user on the computer (e.g., see paragraph [00920] and paragraph [00921]), and to assign associating the first network identifier (127.0.1.0) the first program and to assign associating the second network identifier the second program (127.0.2.0) (e.g., see paragraph [00920] and paragraph [00921]); and,

aii) a network communication interface, in communication with the interface mechanism, to transmit the first network identifier with a network communication of the first program and to transmit the second network identifier with a network communication of the second program (e.g., see paragraph [00920] and paragraph [00922]).

9. Per claim 2, since the claim recites "one of either", examiner needs only address one; hence, Orme taught a loopback address 127.0.0.1 per paragraph [00920] and paragraph [00922].

10. Per claim 4, a program can be anything in Orme such as the session of paragraph [0656].

11. Per claim 5, since the claim recites "one of either", examiner needs only address one; hence, any program is also an application such as a chat session.

12. Per claim 6, claim 7, claim 8, and claim 9, since Orme taught a Dynamic Host Configuration Protocol in paragraph [0737] and paragraph [0918], the computer obtained the network identifier from the server per paragraph [0917] and paragraph [0918] which generated the identifier, or locally from a storage (i.e., statically assigned).

13. Per claim 10 and claim 11, see paragraph [0919] to paragraph [0926].

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14. Per claim 12 and claim 13, as indicated above, the computer could host chat sessions (in the plural) per paragraph [0656].

15. Per claim 14 and claim 15, such is domain name resolution normal to DNS as covered, in part, in paragraph [0732] as allocated to a user of the computer.

16. Per claim 16, claim 17, claim 19, and claim 20, see paragraph [0922] for TCP stack and paragraph [0085] and paragraph [1135] for socket library and binding.

17. Per claim 22, in light of the applicant's originally filed specification on page 51 (paragraph [0082] in which the interface mechanism is intercepting and modifying network traffic sent to and from the program, Orme also taught the use of TCP/IP stacks and sockets for binding along with the use of the Secure Socket Layer per paragraph [1135] for intercepting and modifying network traffic sent (i.e., encrypting) to and from the programs.

18. Per claims 31, 32, 34-47, 49, 50, and 52, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above.

19. The rejections, and grounds for rejections, under 35 U.S.C. 102(e) as presented in examiner's prior Office Action mailed 09 June 2009, are hereby maintained and incorporated in this Office Action by reference.

20. The applicant argued in his 09 September 2009 response by stating in substance that claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52, as previously presented, are patentable over Orme. A claimed invention lacks novelty when a cited reference discloses each and every element of the claimed invention. Claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are patentable over Orme because Orme fails to disclose assigning a first network identifier to a first program and a second network identifier to a second program where (1) the first network identifier and the second identifier are selected from a plurality of network identifiers of a user, and (2) where the plurality of network identifiers are allocated to the user. At best, Orme describes assigning an IP address to an application for the purpose of implementing access control lists. See Orme, paragraphs 910 and 920. At no point does Orme disclose assigning to an application an IP address allocated to a user, nor does Orme even suggest that the application should be associated with a user. Furthermore, Orme does not disclose obtaining IP addresses or other network identifiers from a group of IP addresses assigned to a particular user. In light of Orme, it would not be obvious to assign an IP address associated with a user to an application because is silent as to the relationship between a user of the system, an application and an IP address assigned to the application. Furthermore, Orme does not suggest associating a user with an application via a network identifier, because Orme focuses on associating applications with entries in an access control list via IP addresses. The above remarks demonstrate that Claims 1, 2, 4-17, 19-20, 22, 31-32, 34-47, 49-50 and 52 are patentable over Orme because Orme fails to disclose each and every element of Claims 1 and 31. Claims 2, 4-17, 19-20, 22, 32, 34-47, 49-50 and 52 depend on and incorporate the subject matter of Claims 1 and 31, therefore these claims

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are also patentable over Orme. Accordingly, Applicants respectfully request that the Examiner withdraw this rejection. *However*, as indicate above, Orme taught that a computer user had several program per paragraph [0915], or sections of code per paragraph [0942], on the user's computer, each program, or section of code, had their own IP address. Since paragraph [0942] taught at least two sections of codes, or programs, then the user must been allocated at least two IP addresses to choose from when assigning one IP address to one section of code, program, and another different IP address to the other section of code, program. Hence, Orme disclosed, *among many other things*, assigning a first network identifier to a first program and a second network identifier to a second program where (1) the first network identifier and the second identifier are selected from a plurality of network identifiers of a user, and (2) where the plurality of network identifiers are allocated to the user. Hence, Orme disclosed assigning to an application an IP address allocated to a user; and, Orme suggested that the application should be associated with a user. Furthermore, Orme disclosed obtaining IP addresses or other network identifiers from a group of IP addresses assigned to a particular user, that group being within the range given in paragraph [0920] and paragraph [0921].

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

22. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (571) 272-3895. The examiner can normally be reached Monday thru Thursday from 5:30 am to 2:00 pm.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006. The fax phone number for all papers is (571) 273-8300.

25. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Robert B. Harrell/
ROBERT B. HARRELL
PRIMARY EXAMINER
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